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I hereby certify that this correspondence, totaling five (5) pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-9600 (Central number) on the below date:

Date: February 28, 2009Name: Gregory H. Zayta - Reg. No. 48,059 Signature: Gregory H. Zayta

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appn. of: Yasuyuki KawashimaAppn. No.: 10/821,732Filed: April 8, 2004For: Methods for Measuring Bacteria, Bacteria Measuring Apparatuses, and Storage Media for Storing Computer-Executable Programs for Analyzing BacteriaAttorney Docket No.: 11333/38Examiner: Kailash C. SrivastavaArt Unit: 1657Conf. No.: 1524

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Attached is/are:

 Transmittal (in duplicate); and Substance of Interview.

Fee calculation:

- No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 CFR § 1.136(a).
 A petition or processing fee in an amount of \$ _____ under 37 CFR § 1.17(_____.)
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	Rate	Small Entity		Not a Small Entity	
						Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$26=			x \$52=	
Indep.		Minus			x 110=			x \$220=	
First Presentation of Multiple Dep. Claim					+\$195=			+\$390=	
					Total	\$		Total	\$

Fee payment:

- Please charge Deposit Account No. 23-1925 in the amount of \$ _____.
 Payment by credit card in the amount of \$ _____ (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Gregory H. Zayta (Reg. No. 48,059)

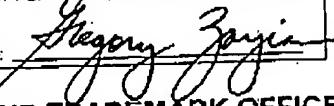
February 28, 2009

Date

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<p>I hereby certify that this correspondence, totaling five (5) pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8280 (Central number) on the below date:</p>		
Date: February 28, 2009	Name: Gregory M. Zavala - Reg. No. 48,059	Signature: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Yasuyuki Kawashima

Appln. No.: 10/821,732

Filed: April 8, 2004

For: Methods for Measuring Bacteria, Bacteria Measuring Apparatuses, and Storage Media for Storing Computer-Executable Programs for Analyzing Bacteria

Attorney Docket No.: 11333/38

Examiner: Kailash C. Srivastava

Art Unit: 1657

Conf. No.: 1524

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Attached is/are:

- Transmittal (in duplicate); and Substance of Interview.

Fee calculation:

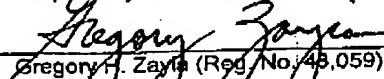
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 A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____.)
 An additional filing fee has been calculated as shown below:

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					Rate	Add'l Fee	or	Rate
Total		Minus			x \$26=			x \$52=
Indep.		Minus			x 110=			x \$220=
First Presentation of Multiple Dep. Claim					+\$195=			+ \$390=
					Total	\$	Total	\$

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Respectfully submitted,


Gregory M. Zavala (Reg. No. 48,059)

February 28, 2009

Date



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February 28, 2009Gregory H. Zayia - Registration No. 48,059Name of Applicant, Assignee or
Registered RepresentativeGregory ZayiaFebruary 28, 2009

Signature

Date of Transmission

Our Case No. 11333/38
Sysmex Ref. No. 1-2002-090US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yasuyuki Kawashima)
Serial No. 10/821,732)
Filing Date: April 8, 2004)
For: Methods for Measuring Bacteria,)
Bacteria Measuring Apparatuses,)
and Storage Media for Storing)
Computer-Executable Programs for)
Analyzing Bacteria)

SUBSTANCE OF INTERVIEW

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Interview Summary mailed February 12, 2009, Applicant respectfully requests entry of the following Remarks, which begin on page 2 of this communication.